

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re:

DELPHI CORPORATION, *et al.*, \* Case Nos. 05-44481 *et al.*  
Debtors. \* (Jointly Administered)  
\* Chapter 11

\* \* \* \* \*

**AFFIDAVIT OF SERVICE**

STATE OF MARYLAND )  
 ) ss:  
COUNTY OF BALTIMORE )

Maria Ellena Chavez-Ruark, being duly sworn, deposes and says:

1. I am not a party to these proceedings, over eighteen years of age and employed by DLA Piper Rudnick Gray Cary US LLP, 6225 Smith Avenue, Baltimore, Maryland 21209-3600.

2. On the 21st day of December, 2005, I caused to be served true copies of the *Motion of Constellation NewEnergy, Inc. for (I) Relief From Stay to Exercise Recoupment and/or Setoff Rights Pursuant to Section 553 of the Bankruptcy Code and (II) Other Related Relief* and the *Notice of Motion of Constellation NewEnergy, Inc. for (I) Relief From Stay to Exercise Recoupment and/or Setoff Rights Pursuant to Section 553 of the Bankruptcy Code and (II) Other Related Relief* by first class mail, postage prepaid, on all parties on the attached lists.

Dated: New York, New York  
December 27, 2005

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Sworn to before me this 27<sup>th</sup> day of December, 2005

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